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September 11, 2020

VIA ECF

Hon. Ronnie Abrams, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Jennifer Eckhart and Cathy Areu v. Fox News Network, LLC, et al.
Civil Action No. 20-cv-05593-RA

Dear Judge Abrams:

We write on behalf of Plaintiff Cathy Areu. Pursuant to Your Honor's order dated August 26, 2020 and Your Honor's Initial Pretrial Conference held on August 28, 2020, Plaintiff Areu was granted until September 11, 2020 to amend her complaint to address the issues raised in a safe harbor notice that defendants Fox News Network, LLC, Sean Hannity, Tucker Carlson, and Howard Kurtz ("**Fox Defendants**") served upon Plaintiff Areu's prior counsel pursuant to Rule 11(c)(2) of the Federal Rules of Civil Procedure (the "**Rule 11 Notice**") on or about August 7, 2020. Plaintiff Areu files her amended complaint simultaneously with this letter to Your Honor.

During the course of amending the complaint, we have discovered that Ms. Areu may serve as a representative in a Rule 23 class on behalf of similarly situated female, unpaid Contributors engaged by the Fox Defendants. As we continue our investigation into these class claims, and before we add them to the pleading, we first wanted to bring this to Your Honor's attention given this development further supports Plaintiffs' request to sever the matters. Ms. Eckhart would not be a representative or member of any purported class brought by Ms. Areu and it would be more efficient to assert any class claims if, and when, Your Honor severs the Plaintiffs' matters. As Your Honor indicated you will hold an additional status conference after the filing of Ms. Areu's amended complaint, we would be happy to discuss this issue at that time.

Should Your Honor require any additional information, please do not hesitate to contact us.

Respectfully submitted,

VALLI KANE & VAGNINI LLP

/s/ James Vagnini

JAMES A. VAGNINI

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cc: All counsel of record (via ECF).